

## REMARKS

Claims 1 – 8 and 10 – 11 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

## DRAWINGS

The drawing stands objected to because it includes reference numerals 15 and 16, which are not mentioned in the specification of the application. Applicants have attached a revised drawing sheet for the Examiner's approval. In the "Replacement Sheet", reference numerals 15 and 16 have been deleted. Favorable consideration of the Replacement Sheet is respectfully requested.

## SPECIFICATION

The specification stands objected to because, as stated above, the drawing includes reference numerals 15 and 16, but there is no description with respect to these numerals in the specification. As also stated above, the drawing has been amended to delete reference numerals 15 and 16. Since Applicants have amended the drawing to delete these reference numerals, Applicants respectfully assert that the objection to the specification is now moot.

### **REJECTION UNDER 35 U.S.C. § 112**

The Examiner alleges that, in claim 1, the limitation “the first centering ring” has insufficient antecedent basis. To provide a proper antecedent basis for this phrase, claim 1 has been amended to call for the clamping plate that acts as a first centering ring for precentered installation of a machine element that is to be sealed. By this amendment, Applicants respectfully assert that the limitation “the first centering ring” now has sufficient antecedent basis in accordance with 35 U.S.C. § 112, second paragraph.

With respect to claim 10, the Examiner further alleges that the limitation “the axial projection” has insufficient antecedent basis. To provide a proper antecedent basis for this phrase, claim 10 has been amended to delete “the” and insert therefore “an” before the phrase “axial projection.” As such, the rejection of claim 10 should be moot.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1 – 8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nagasawa (U.S. Pat. No. 4,623,153). This rejection is respectfully traversed.

Claim 1 has been amended and rewritten. Claim 1 now calls for a sealing ring comprising a supporting ring connected with a first sealing lip made of an elastomeric material and a second sealing lip made of a polymeric material. The second sealing lip is wedged against the supporting ring by a clamping plate without being bound to it, and the clamping plate acts as a first centering ring for the precentered installation of a machine

element that is to be sealed by the sealing lips. The clamping plate is provided with an insertion slant that projects axially in a direction opposite to that of an installation direction of the machine element and of the first sealing lip, and has a diameter that increases in funnel-like fashion axially in the direction opposite to the installation direction and to the first sealing lip such that the clamping plate is C-shaped and axially open in the direction opposite to that of installation. Lastly, claim 1 calls for the second sealing lip to act as a second centering ring for further precentered installation of the machine element and located after the first centering ring in the installation direction, and to act as a preliminary seal for the first sealing lip.

Nagasawa does not anticipate such structure. Specifically, Nagasawa does not disclose a sealing ring including a clamping plate that has a diameter that increases in funnel-like fashion axially in the direction opposite to the installation direction and to the first sealing lip such that the clamping plate is C-shaped and axially open in the direction opposite to that of installation. Since Nagasawa does not disclose a sealing ring including the claimed clamping plate, the sealing ring of claim 1 and each corresponding dependent claim is not anticipated. Reconsideration and withdrawal of this rejection, therefore, is respectfully requested.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 1 - 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatch (U.S. Pat. No. 6,367,810) in view of Giles (U.S. Pat. No. 2,264,970). This rejection is respectfully traversed.

As stated above, claim 1 has been amended to call for a sealing ring, wherein the clamping plate has a diameter that increases in funnel-like fashion axially in the direction opposite to the installation direction and to the first sealing lip such that the clamping plate is C-shaped and axially open in the direction opposite to that of installation. The Examiner alleges that such a feature is obvious, however, because although Hatch fails to disclose a sealing ring with such a clamping plate, Giles allegedly teaches such a clamping plate. Notwithstanding, Applicants respectfully assert that there is no teaching, suggestion, or motivation in either Hatch or Giles to render the claimed sealing ring obvious.

More specifically, referring to Figure 3 of Giles, it can be seen that the clamping ring 12a is composed of a cross member 26a, a flange 27a, and a conical extension 30. The conical extension 30, however, abuts another flange 28a to give the clamping ring 12a a triangular cross section. This contrasts with the clamping plate of the claimed invention because, as claimed, the clamping plate is C-shaped and axially open in the direction opposite to that of installation. By teaching a clamping ring 12a that includes a conical extension 30 that abuts another flange 28a, Giles teaches a clamping ring that is neither C-shaped nor axially open in a direction opposite to that of installation because the clamping ring 12a is fully closed to form the triangular cross section. Since these elements of the claimed sealing ring are neither taught or suggested, the claimed invention would not have been obvious.

Moreover, as claimed, the insertion slant of the clamping plate projects axially in a direction opposite to that of an installation direction of the machine element and of the first sealing lip. This is shown in Figure 1 of the application where it can be seen that the

insertion slant 7 projects axially in a direction opposite of the first sealing lip 2. In contrast, Giles teaches that the conical extension 30 extends in a direction towards the sealing lip 23. Since neither Hatch nor Giles teach, suggest, or provide motivation to utilize a clamping plate that is C-shaped and axially open, and including an insertion slant that projects axially in a direction opposite of the first sealing lip, Applicants respectfully assert that the claimed sealing ring would not have been obvious.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagasawa (U.S. Pat. No. 4,623,153). This rejection is respectfully traversed.

Claim 11 is dependent on independent claim 1, addressed above. Claim 11 is not obvious for at least the same reasons as independent claim 1.

Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

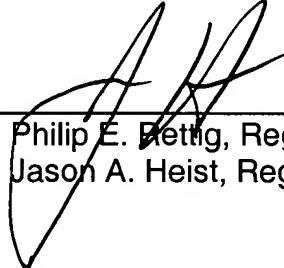
CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: November 12, 2004

By:

  
Philip E. Betting, Reg. No. 34,000  
Jason A. Heist, Reg. No. 51,797

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

PER/JAH/mb